

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 95-66

Introduced by Council President Parrott
at the request of the County Executive
Legislative Day No. 95-27 Date September 19, 1995

AN ACT to add new Subsection B, Swan Creek Commercial, to Section 256-40, Establishment; boundaries and new Subsection G, Swan Creek Commercial flow unit assessments to Section 256-42.5, Method of Assessment, of Article III, Other Sanitary Subdistricts, of Chapter 256, Water and Sewers, of the Harford County Code, as amended, to create the Swan Creek Commercial Sanitary Subdistrict and provide for a new method of calculating assessments for the Swan Creek district.

By the Council, September 19, 1995
Introduced, read first time, ordered posted and public hearing scheduled
on: October 17, 1995
at: 6:30 p.m.

By Order: *Josephine Doherty*, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 17, 1995, and concluded on, October 17, 1995

Josephine Doherty, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland, that new Subsection B, Swan Creek Commercial and new Subsection G, Swan Creek Commercial flow unit assessments, of Section 256-42.5, Method of Assessment of Section 256-40 Establishment; boundaries, of Article III, Other Sanitary Subdistricts, of Chapter 256, Water and Sewers, of the Harford County Code, as amended, be, and they are hereby added, all to read as follows:

Chapter 256. Water and Sewers

Article III. Other Sanitary Subdistricts

Section 256-40. Establishment; boundaries.

B. SWAN CREEK COMMERCIAL

(1) THE SWAN CREEK COMMERCIAL AREA OF THE COUNTY IS HEREBY ESTABLISHED AS A SANITARY SUBDISTRICT (SEWER ONLY), WHICH INCLUDES PARCELS OF LAND AS SHOWN ON THE PLAT ENTITLED "EXHIBIT B", WHICH IS ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN, AND AS MORE PARTICULARLY DESCRIBED IN THE FOLLOWING DEEDS, AS RECORDED IN THE LAND RECORDS OF HARFORD COUNTY, MARYLAND;

(A) H.D.C. - BOOK 942, PAGE 1021, MINIMUM FLOW UNITS - 15

(B) C.G.H. - BOOK 1598, PAGE 733, MINIMUM FLOW UNITS - 1

(C) C.G.H. - BOOK 1330, PAGE 737, MINIMUM FLOW UNITS - 21

(D) C.G.H. - BOOK 1482, PAGE 172, MINIMUM FLOW UNITS - 1

(E) C.G.H. - BOOK 1814, PAGE 184, MINIMUM FLOW UNITS - 1.5

(F) C.G.H. - BOOK 1961, PAGE 670, MINIMUM FLOW UNITS - 1.5

(G) C.G.H. - BOOK 1409, PAGE 891, MINIMUM FLOW UNITS - 1

(H) C.G.H. - BOOK 1409, PAGE 882, MINIMUM FLOW UNITS - 1

(I) C.G.H. - BOOK 1367, PAGE 226, MINIMUM FLOW UNITS - 3

1 (J) H.D.C. - BOOK 895, PAGE 235, MINIMUM FLOW UNITS - 8

2 (K) H.D.C. - BOOK 969, PAGE 452, MINIMUM FLOW UNITS - 14

3 (2) THE FOLLOWING CONDITIONS SHALL APPLY TO PROPERTIES
4 WITHIN THIS SUBDISTRICT.

5 (A) PROPERTIES MUST DEVELOP ON PUBLIC WATER.

6 (B) PROPERTIES SHALL NOT DISCONNECT FROM PUBLIC
7 WATER ONCE CONNECTED.

8 (C) WATER FROM PERMITTED WELLS MAY BE USED FOR NON-
9 DOMESTIC USE, PROVIDED THAT IT DOES NOT DISCHARGE TO THE PUBLIC
10 SEWER SYSTEM. ANY CROSS CONNECTIONS BETWEEN A WELL AND THE
11 DOMESTIC WATER SUPPLY IS PROHIBITED.

12 (D) PROPERTIES SERVED BY PERMITTED WELLS SHALL HAVE
13 THE NUMBER OF FLOW UNITS DETERMINED BY FIXTURE COUNT AS ESTABLISHED
14 BY THE HARFORD COUNTY WATER AND SEWER DIVISION GENERAL RULES AND
15 REGULATIONS. THE NUMBER OF FLOW UNITS SHALL EQUAL THE NUMBER OF
16 EQUIVALENT UNITS CALCULATED USING THE FIXTURE COUNT.

17 (E) NO PREPAYMENT OF THE ASSESSMENT SHALL BE
18 ALLOWED. THE ASSESSMENT SHALL BE RECOVERED OVER A TWENTY-FIVE (25)
19 YEAR PERIOD.

20 (3) CONNECTION FEES, USAGE FEES, AND DISCHARGE
21 REGULATIONS ARE SUBJECT TO AGREEMENTS BETWEEN THE COUNTY AND THE
22 CITY OF ABERDEEN WHERE WASTEWATER TREATMENT IS PROVIDED BY THE CITY
23 OF ABERDEEN.

24 (4) ADDITIONAL RULES AND REGULATIONS

25 THE SWAN CREEK COMMERCIAL SANITARY SUBDISTRICT SHALL
26 BE GOVERNED BY THE GENERAL RULES AND REGULATIONS ESTABLISHED BY THE

1 DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER AND SEWERS FOR THE
2 OPERATION THEREOF. IF NOT PREVIOUSLY ADOPTED, THESE RULES AND
3 REGULATIONS SHALL BE ADOPTED IMMEDIATELY, SUBJECT TO CHANGE AS MAY
4 BE NECESSARY TO PROPERLY ADMINISTER THE SUBDISTRICT.

5 (5) ASSESSMENTS FOR THE FOLLOWING PROPERTIES ARE THE
6 RESPONSIBILITY OF THE COUNTY AND WILL BE PAID TO THE WATER AND
7 SEWER FUND OUT OF THE GENERAL FUND, AND SHALL NOT BE CHARGED TO THE
8 PROPERTY OWNER.

9 (A) PROPERTY THAT IS THE SITE OF A FIRE STATION OR
10 SUBSTATION AND IS OWNED BY A VOLUNTEER FIRE OR AMBULANCE COMPANY;
11 AND

12 (B) PROPERTY THAT IS THE SITE OF A FIRE STATION OR
13 SUBSTATION AND IS LEASED FROM THE FEDERAL GOVERNMENT BY A VOLUNTEER
14 FIRE OR AMBULANCE COMPANY; AND

15 (C) PROPERTY THAT HAS BEEN APPROVED AS THE SITE OF
16 A FUTURE FIRE STATION OR SUBSTATION BY THE HARFORD COUNTY FIRE AND
17 AMBULANCE ASSOCIATION AND IS OWNED BY A VOLUNTEER FIRE OR AMBULANCE
18 COMPANY.

19 SECTION 256-42.5. METHOD OF ASSESSMENT.

20 G. SWAN CREEK COMMERCIAL FLOW UNIT ASSESSMENTS. THE METHOD
21 OF ASSESSMENT FOR THE SWAN CREEK COMMERCIAL SANITARY SUBDISTRICT
22 SHALL BE BY FLOW UNIT ASSESSMENT AND SHALL BE APPLIED TO ALL
23 PROPERTIES BENEFITTED BY CONTRACT NO. 6442 AND TO PROPERTIES
24 BENEFITTED BY THE PUMPING STATION CONSTRUCTED UNDER CONTRACT 2965
25 OR THE FORCE MAIN CONSTRUCTED UNDER CONTRACT 6344-3. A FLOW UNIT
26 IS DEFINED, FOR PURPOSES OF THIS SUBSECTION, AS 200 GALLONS PER

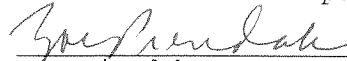
1 DAY, ANNUAL AVERAGE DAILY FLOW, ROUNDED TO THE NEAREST TENTH AND
2 SHALL BE CALCULATED FROM METERED WATER CONSUMPTION. AT NO TIME
3 SHALL THE NUMBER OF FLOW UNITS ASSIGNED TO A PROPERTY BE LOWER THAN
4 THE NUMBER PROVIDED IN §256-40 B(1)(A)-(K). FOR PURPOSES OF THIS
5 SUBSECTION, THE TERM "PROPERTY" MEANS ANY REAL PROPERTY UPON WHICH
6 A BUILDING IS ERECTED OR MAY BE ERECTED AND TO WHICH EITHER NO
7 SERVICE CONNECTION OR ONE (1) SERVICE CONNECTION HAS BEEN PROVIDED.
8 SHOULD ANY PROPERTY OWNER DIVIDE A PROPERTY, A MINIMUM OF ONE (1)
9 FLOW UNIT SHALL BE ASSIGNED TO ANY NEWLY CREATED, UNIMPROVED LOT
10 UNTIL SUCH TIME THAT A BUILDING IS ERECTED AND THE CORRECT NUMBER
11 OF FLOW UNITS CAN BE CALCULATED. A NEWLY CREATED, DEVELOPED LOT
12 SHALL BE ASSIGNED THE NUMBER OF FLOW UNITS THAT WERE LISTED IN
13 §256-40 B(1)(A)-(K) FOR THE PROPERTY FROM WHICH IT WAS SUBDIVIDED.
14 THE ASSESSMENTS SHALL BE IN WHATEVER AMOUNT IS REQUIRED TO PAY THE
15 TOTAL COST OF THE PURCHASE, ESTABLISHMENT AND CONSTRUCTION OF THE
16 PROJECT. THE ASSESSMENT RATE SHALL BE THE SUM WHICH, WHEN
17 MULTIPLIED BY THE NUMBER OF FLOW UNITS WITHIN THIS SUBDISTRICT,
18 WILL PROVIDE FUNDS SUFFICIENT TO MEET THE ANNUAL PRINCIPAL AND
19 INTEREST DEBT SERVICE PAYMENT OF THE PROJECT. THE ASSESSMENT RATE
20 SHALL BE ADJUSTED EVERY OTHER YEAR TO REFLECT THE AMOUNT NECESSARY
21 TO PROVIDE FOR THE ANNUAL DEBT SERVICE PRINCIPAL AND INTEREST
22 PAYMENT WITHOUT EXCEEDING TOTAL DEBT SERVICE FOR THE PROJECT. A
23 PROPERTY BENEFITED BY THIS PETITION PROJECT MUST HAVE ITS SHARE OF
24 THE PROJECT COST, DEFINED AS THE NUMBER OF FLOW UNITS ASSIGNED TO
25 IT DIVIDED BY THE TOTAL NUMBER OF FLOW UNITS IN THE SUBDISTRICT AND
26 MULTIPLIED BY THE REMAINING DEBT SERVICE PRINCIPAL, PAID OFF BEFORE

1 THE PROPERTY CAN BE SERVED BY A WATER OR SEWER MAIN OTHER THAN THE
2 ONE CONSTRUCTED FOR THE ORIGINAL PARCEL BY THE PETITION.

3 SECTION 2. AND BE IT FURTHER ENACTED THAT THIS ACT SHALL
4 TAKE EFFECT SIXTY (60) CALENDAR DAYS FROM THE DATE IT BECOMES LAW.

EFFECTIVE: December 19, 1995

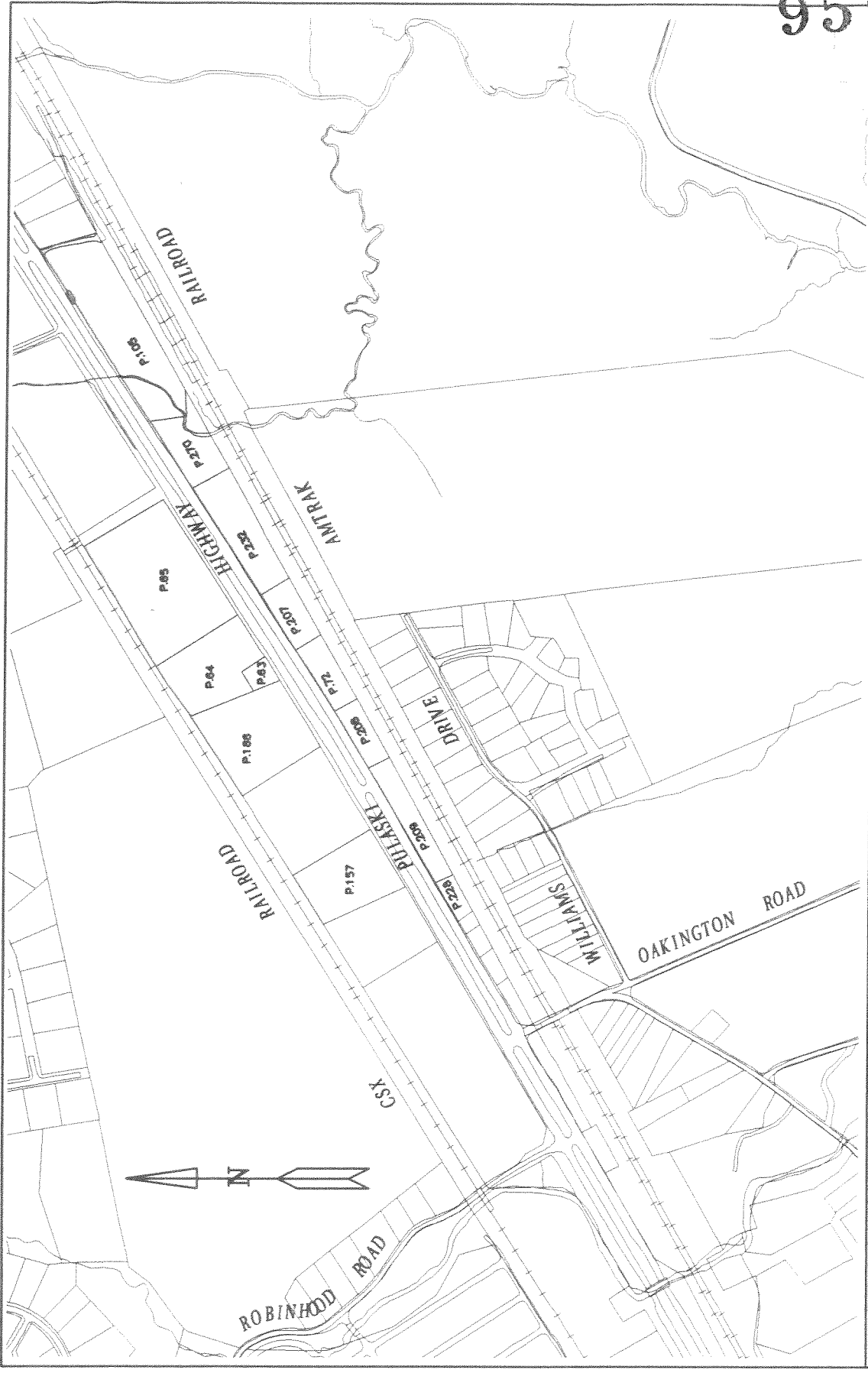
*The Secretary of the Council does
hereby certify that fifteen (15) copies of
this Bill are immediately available for
distribution to the public and the press.*



Zoe Piendak
Council Secretary

SWAN CREEK COMMERCIAL SANITARY SUBDISTRICT

HARFORD COUNTY, MD
DEPARTMENT OF
PUBLIC WORKS



HARFORD COUNTY BILL NO. 95-66(Brief Title) Establish New Method of Assessment -
Swan Creek

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

[Signature]
Secretary of the Council[Signature]
President of the CouncilDate 10/17/95Date 10/17/95

BY THE COUNCIL

Read the third time.

Passed: LSD 95-30 (October 17, 1995)

Failed of Passage: _____

By Order

[Signature]
SecretarySealed with the County Seal and presented to the County Executive for approval this 19th day of October, 1995 at 3:00 p. m.[Signature]
Secretary

BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVEAPPROVED: Date October 20, 1995

BY THE COUNCIL

This Bill (No. 95-66), having been approved by the Executive and returned to the Council, becomes law on October 20, 1995.

[Signature]
Secretary

EFFECTIVE DATE: December 19, 1995